

**MCKEE, VOORHEES & SEASE, PLC**  
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**OFFICIAL**

DATE: November 24, 2003

TO: Art Unit 1638

COMPANY: USPTO

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FROM: LILA A. T. AKRAD

NUMBER OF PAGES (Including cover): 3

COMMENTS: Please file the attached NOTICE OF APPEAL:

IN RE APPLICATION OF: HENKE, Gary E.

SERIAL NO: 09/759,708

FILED: January 12, 2001

FOR: HYBRID MAIZE PLANT & SEED

Group Art Unit: 1638

Examiner: Mehta, Ashwin D.

Attorney Docket No: P04840US0 and PHI 1316

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NOTICE OF APPEAL TO THE  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated June 2, 2003 and the Advisory Action dated November 6, 2003. Applicant is appealing the following claims: 1-7, 51-52, 54, 64-76 as submitted in a Supplemental Amendment After Final on November 14, 2003.

The items checked below are appropriate:

- ☒ Please charge Deposit Account No. 26-0084 the amount of \$330.00.
- ☐ The Commissioner is hereby authorized to charge the extension fees to Deposit Account No. 26-0084.
- ☒ The Commissioner is authorized to charge any underpayment or credit any overpayment or to Deposit Account No. 26-0084.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

## CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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☐ deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

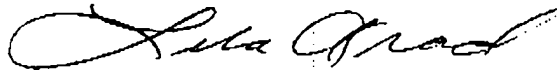
## FACSIMILE

☒ transmitted by facsimile to the Patent and Trademark Office, Art Unit 1638 at Fax No. (703) 872-9307.

Date: 11/24/2003

  
Lila A. T. Akrad

Respectfully submitted,



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